

**Notice of Allowability**

Application No.

09/650,827

Examiner

Prieto Beatriz

Applicant(s)

SCHNEIDER, ERIC

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/14/04.
2. ☒ The allowed claim(s) is/are 41-60.
3. ☒ The drawings filed on 30 August 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 07/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

*Beatriz Prieto*  
Patent Examiner



***Examiner's Amendment***

1. An Examiner's Amendment to the record appears below. Should the changes or additions be unacceptable to Applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

2. Pursuant to M.P.E.P. §606.01, this title has respectfully been changed to read as follows:

**-- METHOD, PRODUCT, AND APPARATUS FOR DETERMINING THE AVAILABILITY OF SIMILAR IDENTIFIERS AND REGISTERING THESE IDENTIFIERS ACROSS MULTIPLE NAMING SYSTEMS --**

3. The following examiner's amendment is made solely to update status of co-pending applications.

In the **specification, please substitute** on page 1, lines 10-20:

1. U.S. Patent Application No. 09/532,500 filed March 21 2000, by Schneider, entitled "Fictitious domain name method, product, and apparatus", which claims the benefit of U.S. Patent Application Ser. No. 09/525,350 filed March 15, 2000, now patent 6,338,082 issued on 01/08/02, by Schneider, entitled "Method for integrating domain name registration with domain name resolution" and claims the benefit of U.S. Provisional Application Ser. No. 60/143,859 filed July 15, 1999, by Schneider entitled "Method and apparatus for generation, registration, resolution, and emulation of name space", now abandoned, U.S. Provisional Application No. 60/135,751 filed May 25, 1999, by Schneider entitled "Method and system for name space resolution", now abandoned and U.S. Provisional Application No. 60/125,531 filed March 22, 1999, by Schneider entitled "Method and system for the emulation of name space", now abandoned.

4. The following is the Examiner's statement of Reason for Allowance. This statement is not intended to necessarily state all the reasons for allowance or all the details why claims are allowed, nor it specifically or impliedly state that all the reasons for allowance are set forth. The

Art Unit: 2142

primary, or important reason for allowance of the claims is the inclusion of the limitation(s) in all the claims, which is not found in the prior art references.

In this case, the prior art of record teaches the claimed invention substantially as claimed, including a registration procedure with a naming systems for registering an identifier or name through a corresponding service provider, however fails to teach or suggest individually or in combination; registering an identifier with at least two registerable naming system, the term DNS has been defined by the applicant as a single naming system according to the naming system disclosed on the prior art reference WO 99/07926 Broadhurst (February 1999). The Broadhurst reference, defines a DNS system as a collection of distributed databases for resolving for translating Internet names into numerical addresses, the DNS comprises DNS servers referred to as a DNS database. (page 2); The availability of a domain name for example in different countries is made via a single WHOIS query to domain name authority in their respective country. The DNS servers each store domain names for a particular domain (i.e. geographic area defined at a global level or country-level, e.g. .com, .edu, .gov and .org) (pages 2-3). The improvement of the Broadhurst reference is the ability to perform a query for registering domain names across multiple countries, i.e. across multiple domains, thereby performing multiple searches simultaneously in various domains or DNS server domain (page 3) or performing parallel searches of multiple domains at respective multiple DNS servers (page 8).

This said, applicant defines this DNS system (defined by the Broadhurst reference), as a "single naming system" (specification page 10, and as argued on page 7 of remarks filed 07/22/04). Thereby, registering a name at two "naming systems" as set forth in claim 41 is distinguishable over the prior art. Further, registering a name corresponding to the account information in response to a user logging in registerable naming systems, as set forth on claims 57 and 60, is also distinguishable over the prior art. Claims are allowed because of the combination of other limitations and the limitation listed above.

5. Claims **41-60** are allowed because of the combinations of other limitations and the limitation listed above.

6. Double patent analysis has been performed with respect to issued patents having common relationship of inventorship and/or ownership with respect to the above-allowed claims, 6,760,746 issued July 06 2004 & 6,678,717 issued January 13 2004 are found to warrant a double patenting rejection. Accordingly, a terminal disclaimer under 37 CFR 1.321 has been

Art Unit: 2142

filed 10/14/04 to obviate a double patenting rejection. Additionally, Double patenting analysis has been performed with respect to co-pending applications, however, when a "provisional" double patenting rejection is only rejection remaining in an application, the examiner is to permit the application to issue as a patent, thereby converting the "provisional" double patenting rejection in the other co-pending application(s) which raise the double patenting issue into a double patenting rejection at the time the one application issues as a patent (see MPEP 804).

7. The terminal disclaimer filed on 10/14/04 disclaiming the terminal portion of any patent granted by this application which would extend beyond the expiration date of U.S. Patent No. 6,760,746 issued 07/06/04 and U.S. Patent No. 6,678,717 issued 01/13/04 has been reviewed and is accepted. The terminal disclaimer has been recorded.

8. Any comments Applicants considers necessary must be submitted no later than the payment of the Issue Fee and to avoid processing delays, should preferable accompany the Issue Fees. Such submission should be clearly labeled "Comments on Statement of Reasons for Allowance". In event of any post-allowance papers (e.g. IDS, 312 amendment, petition, etc.), Applicant is exhorted to mail papers to the Production Control branch in Publications or faxed to post-allowance papers correspondence branch at (703) 308-5864 to expedite issuing process or call PUB's Customer Service if any questions at (703) 305-8497.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to B. Prieto whose telephone number is (571) 272-3902. The Examiner can normally be reached on Monday-Friday from 6:30 to 4:00 p.m. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, Jack B. Harvey can be reached on (571) 272-3896. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800/4700.

Art Unit: 2142

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system, status information for published application may be obtained from either Private or Public PAIR, for unpublished application Private PAIR only (see <http://pair-direct.uspto.gov> or the Electronic Business Center at 866-217-9197 (toll-free)).

Any response to this action should be mailed to:

**Box Issue Fee**  
Commissioner of Patents and Trademarks  
Washington, D.C. 20231

or faxed to:

(703) 746-4000, (Issue Fee and any Publication fee/payments)

Or:

(703) 305-8283 (for checking on receipt of payment w/Publication)



B. Prieto  
Patent Examiner  
November 13, 2004